

**FOR PUBLICATION**

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**IN THE  
COURT OF APPEALS OF INDIANA**

TOM WILLIAMS,

Appellant-Defendant,

VS.

STATE OF INDIANA,

Appellee-Plaintiff.

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No. 48A02-0505-CR-396

APPEAL FROM THE MADISON SUPERIOR COURT, DIVISION III  
The Honorable Thomas Newman, Jr., Judge  
Cause No. 48D03-0406-FC-333

**April 11, 2006**

### OPINION ON REHEARING – FOR PUBLICATION

**MATHIAS, Judge**

We grant rehearing in this case solely to clarify our opinion in light of the arguments made by the State in support of its petition for rehearing. In all other respects, we reaffirm our original opinion.

In our opinion, we held that Williams’s guilty plea and mental illness were each entitled to “some” mitigating weight. Williams v. State, 840 N.E.2d 433, 439 (Ind. Ct. App. 2006). We later stated: “In light of the significant mitigating weight due to Williams’s guilty plea and documented mental illness, we must conclude that a maximum eight-year sentence is inappropriate.” Id. at 440. In the interests of clarity and precision, we grant the State’s Petition for Rehearing for the limited purpose of striking the words “significant” and “due to” and replacing them with the words “combined” and “of,” respectively. Thus, the statement shall now read: “In light of the combined mitigating weight of Williams’s guilty plea and documented mental illness, we must conclude that a maximum eight-year sentence is inappropriate.”

In all other respects, the State’s Petition for Rehearing is denied.

BAKER, J., concurs.

RILEY, J., deny petition.